IN RE: PETITION FOR ADMINISTRATIVE
SPECIAL HEARING
W/S Main Street, 221' S
centerline of Bond Avenue
4th Election District
3rd Councilmanic District

(316 Main Street)

Issa Ghassan Aziz Petitioner * BEFORE THE

* DEPUTY ZONING COMMISSIONER

OF BALTIMORE COUNTY

* CASE NO. 02-217-ASPH

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Deputy Zoning Commissioner as an Administrative Special Hearing filed by the legal owner of the subject property, Issa Ghassan Aziz. The property is located at 316 Main Street in the Reisterstown area of Baltimore County. The subject property is zoned BL. The Petitioner herein seeks an Administrative Special Hearing to approve a waiver pursuant to Sections 26-171, 26-172(b), Baltimore County Code of Sections 26-203(C)(8) and Section 26-278, to raze a section of a historic property and add a new addition, as approved by the Landmarks Preservation Commission on November 8, 2002. This building is listed on the Maryland Historical Trust (MHT) Inventory as a contributing structure in the Reisterstown National Register Historic District. The subject property and requested relief are more particularly described on Petitioner's Exhibit No. 1, the plat to accompany the Petition for Administrative Special Hearing.

Section 26-172(b) of the Baltimore County Code (B.C.C.) provides that waivers from the requirements of Section 26-203 of the Code (i.e., the development plan) can be granted by the Director of the Department of Permits and Development Management (DPDM). Such requirements can be waived upon a finding that the size, scope and nature of the proposed development does not justify strict compliance, that a waiver would be within the scope purpose,

and intent of the development regulations, and that the proposed development complies with all other County laws, ordinances, and regulations. In order to afford due process, the Director has designated the Deputy Zoning Commissioner (Hearing Officer) to consider the waiver request filed in this instance. Moreover, in order to provide public notice, the property was posted with a sign describing the request on November 29, 2001. There had been one request for a public hearing that was subsequently cancelled and no further requests were made by the public for a hearing nor any public input for the requisite period of fifteen (15) days after posting the property. Thus, the matter is eligible for review and resolution by this Hearing Officer.

The Petitioner has filed the supporting affidavits as required by Section 26-127(b)(1) of the Baltimore County Code. A description of the property contained within the case file indicates that the property consists of 21,780 sq. ft., more or less, zoned BL. The information submitted is persuasive to a finding that the proposed addition is consistent with the character and historic features of the existing building and will not be inappropriate. Furthermore, the Landmarks Preservation Commission reviewed the Petitioner's proposal and recommended a finding that the project is consistent with Section 26-278 of the Baltimore County Code on November 8, 2001. There is no evidence in the file to indicate that the requested waiver would adversely affect the health, safety or general welfare of the surrounding community and should therefore be granted. Moreover, the relief requested complies with the requirements of the Baltimore County Zoning Regulations and should therefore be approved.

Pursuant to the posting of the property and the provisions of both the Baltimore County Code and the Baltimore County Zoning Regulations having been met, and for the reasons set forth above, the relief requested should be granted.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this //day of January, 2002, that the request for Administrative Special Hearing to approve a waiver pursuant to Sections 26-171, 26-172(b), Baltimore County Code of Sections 26-203(C)(8) and Section 26-278, to raze a section of a historic property and add a new addition, as approved by the Landmarks Preservation Commission on November 8, 2002, be and is hereby GRANTED, subject, however, to the following restriction which is a condition precedent to the relief granted herein:

1. The Petitioner may apply for his building permit and be granted same upon receipt of this Order; however, Petitioner is hereby made aware that proceeding at this time is at his own risk until such time as the 30 day appellate process from this Order has expired. If an appeal is filed and this Order is reversed, the relief granted herein shall be rescinded.

TIMOTHY M. KOTROCO

DEPUTY ZONING COMMISSIONER

FOR BALTIMORE COUNTY

TMK:raj





Suite 405, County Courts Bldg. 401 Bosley Avenue Towson, Maryland 21204 410-887-4386

Fax: 410-887-3468

January 14, 2002

Lawrence M. Hammond Hammond & Hammond, LLC 465 Main Street Reisterstown, Maryland 21136

Re: Petition for Administrative Special Hearing Case No. 02-217-SPH

Property: 316 Main Street

Dear Mr. Hammond:

Enclosed please find the decision rendered in the above-captioned case. The Petition for Administrative Special Hearing has been granted in accordance with the enclosed Order.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days from the date of the Order to the Department of Permits and Development Management. If you require additional information concerning filing an appeal, please feel free to contact our appeals clerk at 410-887-3391.

Very truly yours,

Timothy M. Kotroco

Deputy Zoning Commissioner

buthy lotroco

TMK:raj Enclosure

Copies to:

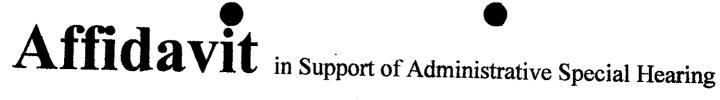
Mr. Issa Ghassan Aziz 22 Dragoon Court Reisterstown, MD 21136

Mr. John Kum Pulainen P. O. Box 825 Reisterstown, MD 21136

Petition for Administrative Special Hearing to the Zoning Commissioner of Baltimore Count

		ie Zoning Commissioner of Bal	ŭ
(*****	for the proper	rty located at 316 MAIN STREET, 1	REISTERSTERMENT
		which is presently zoned	7 <u>L</u>
This Petition undersigned, legal owner(s) of attached hereto and made a p 26-171, 26-172(b), Baltimore C	art harant haraby notition for	artment of Permits and Development lore County and which is described in the a Special Hearing to approve a waiver p 3(C)(8) and Section 26-278 to	Management. The description and plat sursuant to Sections
RAZE AND	CONSTRUCT AN I	ADDITION TO BUILDING.	
of the zoning regulations of Ball	timore County, to the zoning la	w of Baltimore County.	
Property is to be posted and ad I, or we, agree to pay expenses of zoning regulations and restrictions		zoning regulations. ng, posting, etc. and further agree to and are suant to the zoning law for Baltimore County.	to be bounded by the
		I/We do solemnly declare and affirm, under perjury, that I/we are the legal owner(s) of is the subject of this Petition.	er the penalties of the property which
Contract Purchaser/Lessee	2:	Legal Owner(s):	
		ISSA GHASSAN AZIZ	<u>r</u>
Name - Type or Print		Name - Type or Print	
Šign a ture	Commence of the Commence of th	ISSA GHASSAN AZI	Z
Address	Telephone No.	Name - Type or Print	
City	State Zip Code	Signature	
Attorney For Petitioner:			
		22 DRAGOON CT.	Telephone No.
Lawrence M. Han	im one	REISTERSTOWN MD	·
Name Type or Print		City State	<u>ペ/人36</u> Zip Code
The Mitter			•
Signature		Representative to be Contacted:	· ·
HAMMOND + HAMMON	UD, LLC	JOHN KUM PULAINEN	
, ,	African management	Name	
465 MAIN STREET	410-833-7576	P. O. Box 825 416 Address REISTERSTOWN, MD City State	7-517-1803
A.	Telephone No.	Address	Telephone No.
City Control of the c	N.D. 21/36 State Zip Code	KEISTERSTOWN, MD	21136
	•	City State	Zip Code
Rublic Hearing having been formal	ly demanded and/or found to be n	equired it is ordered by the Zanian Committee	
egulations of Baltimore County and that	that the subject matter of this	s petition be set for a public hearing, advertised, as	required by the zoning
	to the state of th		
2			
1000 00 000 000 000 000 000 000 000 000		Zoning Commissioner of Baltimore Co	untv
Case No. 02-217-	oul	*	
Case No. 02-217-	<u>SPH</u> Review	wed By D.THompson Date 11/3	21/01
N 1 1			

Estimated Posting Date



The undersigned hereby affirms under the penalties of perjury to the Zoning Commissioner of Baltimore County, as follows: That the information herein given is within the personal knowledge of the Affiant(s) and that Affiant(s) is/are competent to testify thereto in the event that a public hearing is scheduled in the future with regard thereto.

	•	······································	ruicielo.
That the Affiant(s) does/do presently reside at	22 DRAGOON	4	
	22 DRAGOON Address REISTERStom City	State	JU36 Zip Code
That the Affiant(s) acknowledge(s) that if a for advertising fee and may be required to provide a	ormal demand is filed, Affiant additional information.	(s) will be required	to pay a reposting and
ISSA GHASSAN AZIZ	Signature		
ISSA CHASSAN AZIZ Name - Type or Print	Name - Type or	Print	
STATE OF MARYLAND, COUNTY OF BALTIM I HEREBY CERTIFY, this day of of Maryland, in and for the County aforesaid, per		, before me, a Nota	ary Public of the State
Issa Sheson aziz			
the Affiant(s) herein, personally known or satisfaction law that the matters and facts hereinabove set for	ctorily identified to me as such irth are true and correct to the	Affiant(s), and made best of his/her/their k	oath in due form of mowledge and belief.
AS WITNESS my hand and Notarial Seal			
Date 1, 2001	Notary Public	a. alle	<u>, </u>
CAROLYN A. ALLEN Notary Public	My Commission Expire	es July 1.	4,2001

My Comm, Exps. July 14, 2003

ZONING DESCRIPTION FOR #316 MAIN STREET

Beginning for a point on the west side of Main Street which is 66 feet wide at a distance of 224 feet south of the centerline of Bond Avenue which is 40 feet wide. As recorded in Deed Liber 15020, folio 66 and thence running \$ 13 degrees 15 minutes \$E\$, 66 feet; thence \$ 80 degrees \$W\$, 330 feet; thence \$N\$ 13 degrees \$15 minutes \$W\$, 66 feet and thence \$N\$ 80 degrees \$E\$, 330 feet to the point of beginning. Containing \$21,780 square feet. Also known as #316 Main Street and located in the 4th. Election District, 3rd. Councilmanic District.

J. Tilghman Downey, Jr.

Site Rite Surveying, Inc. 200 E. Joppa Road Shell Building, Room 101 Toweon, MD 21286 (410)828-9060

BALTIMORE COUNTY, MARYLAN () () () () () () () () () () () () ()	PALO ROCE MANAGEMENT
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FOR: (102 4 03 217-SPV.) 316 main SX. Rushel	awsj.
E UTION W - CASHIER PINK - AGENCY YELLOW - CUSTOMER	CASHIER'S VALIDATION

JAMES A. EICKHOFF, O.D. / HAROLD D. ROWE, O.D.

Balitimore County Government

Hearing for 316 Main St

12/14/2001

40.00

12722

Jash - Checking Allf Permit Fee for Admin Hearing Case # 20-21

40.00

CERTIFICATE OF POSTING

	RE: Case No.: <u>02-217-SPH</u>
	Petitioner/Developer:
	ISSA GHASSAN AZIZ
	Date of Hearing/Closing: 12.17-01
Baltimore County Department of Permits and Development Management County Office Building, Room 111 111 West Chesapeake Avenue Towson, MD 21204	•
Attention: Ms. Gwendolyn Stephens	
Ladies and Gentlemen:	·
This letter is to certify under the penalties of p were posted conspicuously on the property locked REISTERSTOWN, MD 21136	cated at 316 MAIN STREET
The sign(s) were posted onNOVEMBE	29 2001 (Month, Day, Year)
APPARANTAL AND	Sincerely, (Signature of Sign Poster and Date) Stacy Gardner CPrinted Name SHANNON-BAUM SIGNS INC. 105 COMPETITIVE GOALS DR. ELDERSBURG, MD. 21784 (City, State, Zip Code) (Telephone Number)

DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT ZONING REVIEW

ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

The <u>Baltimore County Zoning Regulations</u> (BCZR) require that notice be given to the general public/neighboring property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property (responsibility of the petitioner) and placement of a notice in a newspaper of general circulation in the County, both at least fifteen (15) days before the hearing.

Zoning Review will ensure that the legal requirements for advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements. The newspaper will bill the person listed below for the advertising. This advertising is due upon receipt and should be remitted directly to the newspaper.

OPINIONS MAY NOT BE ISSUED UNTIL ALL ADVERTISING COSTS ARE PAID.

For Newspaper Advertising:
Item Number or Case Number: 02-2175PH
Petitioner: LAWRENCE M. HAMMOND (ATTY)
Address or Location: 316 MAIN STREET, REISTERSTOWN, MD 21136
PLEASE FORWARD ADVERTISING BILL TO:
Name: ISSA CHASSAN AZIZ
Address: 22 DRAGOON COURT
REISTERSTOWN, MD 21136
Telephone Number: 443 - 956 - 1887

Revised 2/20/98 - SCJ

ADMINISTRATIVE SPECIAL HEARING INFORMATION SHEET AND DATES

Case Number 02- 217 -SPH Address 316 MAIN ST, 21136
Contact Person: DONNA THOMPSON Phone Number: 410-887-3391
Filing Date: 1 2 0 Closing Date: 12 0 Closing Date: 12 17 0
Any contact made with this office regarding the status of the administrative special hearing should be through the contact person (planner) using the case number.
1. POSTING/COST: The petitioner must use one of the sign posters on the approved list (on the reverse side of this form) and the petitioner is responsible for all printing/posting costs. Any reposting must be done only by one of the sign posters on the approved list and the petitioner is again responsible for all associated costs. The zoning notice sign must be visible on the property on or before the posting date noted above. It should remain there through the closing date.
2. <u>DEADLINE:</u> The closing date is the deadline for an occupant or owner within 1,000 feet to file a formal request for a public hearing. Please understand that even if there is no formal request for a public hearing, the process is not complete on the closing date.
ORDER: After the closing date, the file will be reviewed by the zoning or deputy zoning commissioner. He may: (a) grant the requested relief; (b) deny the requested relief; or (c) order that the matter be set in for a public hearing. You will receive written notification (typically within 7 to 10 days of the closing date) as to whether the petition has been granted, denied, or will go to public hearing. The order will be mailed to you by First Class mail.
4. POSSIBLE PUBLIC HEARING AND REPOSTING: In cases that must go to a public hearing (whether due to a neighbor's formal request or by order of the zoning or deputy zoning commissioner), notification will be forwarded to you. The sign on the property must be changed giving notice of the hearing date, time and location. As when the sign was originally posted, certification of this change and a photograph of the altered sign must be forwarded to this office.
(Detach Along Dotted Line)
Petitioner: This Part of the Form is for the Sign Poster Only
USE THE SPECIAL HEARING SIGN FORMAT
Case Number 02- 217 -SPH Address 316 MAIN ST. 21136 Petitioner's Name ISSA GHASSAN AZIZ Telephone
Posting Date: 12 02 01 Closing Date: 12 17 01
Nording for Sign: <u>Administrative Special Hearing to approve A WAIVER PURSUANT TO</u>
SECTIONS 26-171, 26-172 (b), BALTIMORE COUNTY CODE OF SECTIONS 26-203
(C)(8) AND SECTION 26-278 TO RAZE AND TO CONSTRUCT ADDITION
TO BUILDING.

Max can

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO:

Arnold Jablon, Director

DATE: January 11, 2002

Department of Permits & Development Mgmt.

FROM:

Robert W. Bowling, Supervisor

Bureau of Development Plans Review

SUBJECT:

Zoning Advisory Committee Meeting

For December 24, 2001

Item Nos. 200, 201, 202, 204, 205, 206, 208, 209, 210, 211, 212, 213, 215, 216,

(217) 218, 219, and 220

The Bureau of Development Plans Review has reviewed the subject zoning items, and we have no comments.

RWB:HJO:jrb

cc: File

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO:

Arnold Jablon, Director

DATE: January 11, 2002

Department of Permits & Development Mgmt.

FROM:

Robert W. Bowling, Supervisor Bureau of Development Plans Review

SUBJECT:

Zoning Advisory Committee Meeting

For December 24, 2001

Item Nos. 200, 201, 202, 204, 205, 208, 209, 210, 211, 212, 213, 215, 216, 217,

218, 219, and 220

REVISED January 23, 2002

(Item No. 206 has been removed from the above items and has been updated.)

The Bureau of Development Plans Review has reviewed the subject zoning items, and we have no comments.

RWB:HJO:jrb

cc: File

BALTIMORE COUNTY, MARYLAND INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director DATE: January 7, 2002

Dept. of Permits & Development Management

Arnold F. 'Pat' Keller, III FROM:

Director, Office of Planning

SUBJECT: No. 316 Main Street

INFORMATION

Item Number: 02-217-SPH

Petitioner: John Kumpulainen (representative)

Zoning: BL

Requested Action: Special Hearing

RECOMMENDATIONS ON THE PROPOSAL

The log structure at 316 Main Street is listed on the Maryland Historic Trust (MHT) Inventory as a contributing structure in the Reisterstown National Register Historic District.

On November 8, 2002 the LPC unanimously agreed to recommend a finding to the hearing officer that the addition as proposed was consistent with Section 26-278, must be preserved. The architect for the project, Mr. Bill Keeney, agreed that no other cuts or windows other than those for the rear connection would be made to the log portion, that the original windows would be retained, and that the original siding would be rehabilitated.

Prepared by: Jenleft Z.
Section Chief: Jeffy W'Long

BALTIMORE COUNTY, MARYLAND INTER-OFFICE CORRESPONDENCE

TO:

Arnold Jablon, Director

DATE: February 25, 2002

Department of Permits and Development Management

FROM:

Arnold F. 'Pat' Keller, III

Director, Office of Planning

SUBJECT:

316 Main Street

INFORMATION

Item Number:

02-217-SPH

Petitioner:

John Kumpulainen (representative)

Zoning:

BL

Requested Action:

Special Hearing

RECOMMENDATIONS ON THE PROPOSAL

The log structure at 316 Main Street Road is listed on the Maryland Historic Trust (MHT) Inventory as a contributing structure in the Reisterstown National Register Historic District.

On November 8, 2001 the LPC unanimously agreed to recommend a finding to the hearing officer that the addition as proposed was consistent with Section 26-278, must be preserved. The architect for the project, Mr. Bill Keeney, agreed that no other cuts or windows other than those for the rear connection would be made to the log portion, that the original windows would be retained, and that the original siding would be rehabilitated.

Prepared by:

Section Chief:

AFK:MAC:kra

RE: PETITION FOR SPECIAL HEARING 316 Main Street, W/S Main St, 224' S of c/I Bond Ave 4th Election District, 3rd Councilmanic

Legal Owner: Issa Ghassan Aziz Petitioner(s)

- BEFORE THE
- * ZONING COMMISSIONER
- * FOR
- * BALTIMORE COUNTY
- * Case No. 02-217-SPH

* * * * * * * * * *

ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the above-captioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order. All parties should copy People's Counsel on all correspondence sent/ documentation filed in the case.

PETER MAX ZIMMERMAN

People's Counsel for Baltimore County

CAROLE S. DEMILIO
Deputy People's Counsel
Old Courthouse, Room 47
400 Washington Avenue

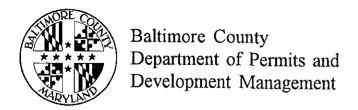
Towson, MD 21204 (410) 887-2188

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 7th day of January, 2002 a copy of the foregoing Entry of Appearance was mailed to Lawrence Hammond, Esq., 465 Main Street, Reisterstown, MD 21136, attorney for Petitioner(s).

PETER MAX ZIMMERMAN

Peter May Tim



Director's Office County Office Building 111 West Chesapeake Avenue Towson, Maryland 21204 410-887-3353 Fax: 410-887-5708

December 27, 2001

Lawrence M Hammond Hammond & Hammond 465 Main Street Reisterstown MD 21136

Dear Mr. Hammond:

RE: Zoning Case Number: 02-217-SPH

The purpose of this letter is to officially notify you that the demand for a public hearing has been withdrawn. As a result, your hearing scheduled has been cancelled.

The zoning file will be forwarded to the Zoning Commissioner and he will make a final determination in the case. You will be notified in writing by his office once the decision has been made.

If you need any further explanation or additional information, please feel free to contact me at 410-887-3391.

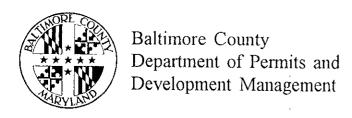
Very truly yours,

IV. Carl Buchard. Jr.

W. Carl Richards, Jr. らうこ Supervisor Zoning Review

WCR: gdz

C: Issa G. Aziz, 22 Dragoon Court, Reisterstown 21136 Harold D Rowe MD, Doctors of Optometry, 310 Main Street, Reisterstown 21136



Development Processing County Office Building 111 West Chesapeake Avenue Towson, Maryland 21204 pdmlandacq@co.ba.md.us

December 26, 2001

Issa Ghassan Aziz 22 Dragoon Court Reisterstown MD 21136

Dear Mr. Aziz:

RE: Demand for Public Hearing, Administrative Variance, Case Number 02-217-SPH

The purpose of this letter is to officially notify you that the posting of the subject property has resulted in a timely demand on December 17, 2001 for a public hearing concerning the above-proposed administrative procedure.

As soon as the hearing has been scheduled, you will receive a notice of public hearing indicating the date, time and location of the hearing. This notice will also contain the date that the sign must be reposted with the hearing information.

As a result of the above, the property must be reposted with the hearing date, time and location. This notification will be published in the Jeffersonian and you will be billed directly by Patuxent Publishing for this.

If you need any further explanation or additional information, please feel free to contact me at 410-887-3391.

Very truly yours,

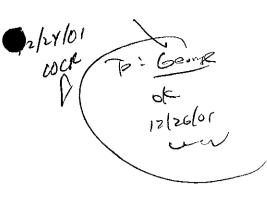
W Carl Richards, Jr

W. Carl Richards, Jr. らうて Supervisor Zoning Review

WCR: gdz

C: Harold D Rowe, Doctors of Optometry, 310 Main Street, Reisterstown 21136

12/20/01



Mr. Arnold Jablon Room 111 111 West Chesapeake Avenue Towson, MD 21204

Dear Mr. Jablon:

Subsequent to a meeting yesterday with representatives from the owner of property located at 316 Main Street, Reisterstown, MD 21136, I would like to cancel my earlier formal request for a Public Hearing on Case # 02-217-SPH.

This meeting clarified some issues for me and I find that it is now not necessary to proceed with a formal Public Hearing at this stage in their construction plans.

Please notify all those involved, that I have elected not to proceed with a hearing on Case # 02-217-SPH at this time. Thank you.

Sincerely

Harold D. Rowe, etal

01-4271 DEC 24 2001

billion in



12/17/01 WCA

James A. Eickhoff, O.D. Harold D. Rowe, O.D. Doctors of Optometry

Den Mr. Jablon:

Please accept this letter as a formal request for a Public Hearing on the Case # 02-217-SPH located at 316 Main ST, Reisters town, Md. 21136.

Jam an immediate next door veighbor and I have been unable to seeme answers to several question's regarding this case even after repeated attempts and many phone calls.

Enclosed is a check for 40.00 to process my request

Thank you,

Haveld D Down, et al.



310 Main Street Reisterstown, MD 21136 Tel: 410-833-5515

Fax: 410-833-7131

